



COMMITTEE ON ENERGY AND COMMERCE

Chairman Fred Upton

Does H.R. 910 Change the Clean Air Act's Ability to Protect Americans from Harmful Air Pollutants? Of Course Not!

April 6, 2011

Dear Colleague:

The Clean Air Act is an important law. It reduces harmful air pollution, making our communities and families safer and healthier. As physicians who are concerned about public health, we are proud to support the Energy Tax Prevention Act. With the Energy Tax Prevention Act, the Environmental Protection Agency will continue to have the tools – and the responsibility – to regulate and reduce harmful air pollutants included in the Clean Air Act, which means that even as we protect jobs and prevent energy prices from being driven higher, we will continue protecting public health as well.

The Energy Tax Prevention Act does not in any way undermine or weaken the Clean Air Act. In addition to the criteria pollutants of ozone, particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and lead, the following 187 hazardous air pollutants (HAPs) expressly identified in the Clean Air Act will CONTINUE to be subject to regulation under the Act:

Acetaldehyde; Acetamide; Acetonitrile; Acetophenone; 2-Acetylaminofluorene; Acrolein; Acrylamide; Acrylic acid; Acrylonitrile; Allyl chloride; 4-Aminobiphenyl; Aniline; o-Anisidine; Asbestos; Benzene (including benzene from gasoline); Benzidine; Benzotrichloride; Benzyl chloride; Biphenyl Bis(2-ethylhexyl)phthalate (DEHP); Bis(chloromethyl)ether; Bromoform; 1,3-Butadiene; Calcium cyanamide; Caprolactam; Captan; Carbaryl; Carbon disulfide; Carbon tetrachloride; Carbonyl sulfide; Catechol; Chloramben; Chlordane; Chlorine; Chloroacetic acid; 2-Chloroacetophenone; Chlorobenzene; Chlorobenzilate; Chloroform; Chloromethyl methyl ether; Chloroprene; Cresols/Cresylic acid; o-Cresol; m-Cresol; p-Cresol; Cumene; 2,4-D, salts and esters; DDE; Diazomethane; Dibenzofurans; 1,2-Dibromo-3-chloropropane; Dibutylphthalate; 1,4-Dichlorobenzene(p); 3,3-Dichlorobenzidine; Dichloroethyl ether (Bis(2-chloroethyl)ether); 1,3-Dichloropropene; Dichlorvos; Diethanolamine; N,N-Diethyl aniline (N,N-Dimethylaniline); Diethyl sulfate; 3,3-Dimethoxybenzidine; Dimethyl aminoazobenzene; 3,3'-Dimethyl benzidine; Dimethyl carbamoyl chloride; Dimethyl formamide; 1,1-Dimethyl hydrazine; Dimethyl phthalate; Dimethyl sulfate; 4,6-Dinitro-o-cresol, and salts; 2,4-Dinitrophenol; 2,4-Dinitrotoluene; 1,4-Dioxane (1,4-Diethyleneoxide); 1,2-Diphenylhydrazine; Epichlorohydrin (1-Chloro-2,3-epoxypropane); 1,2-Epoxybutane; Ethyl acrylate; Ethyl benzene; Ethyl

carbamate (Urethane); Ethyl chloride (Chloroethane); Ethylene dibromide (Dibromoethane); Ethylene dichloride (1,2-Dichloroethane); Ethylene glycol; Ethylene imine (Aziridine); Ethylene oxide; Ethylene thiourea; Ethylidene dichloride (1,1-Dichloroethane); Formaldehyde; Heptachlor; Hexachlorobenzene; Hexachlorobutadiene; Hexachlorocyclopentadiene; Hexachloroethane; Hexamethylene-1,6-diisocyanate; Hexamethylphosphoramide; Hexane; Hydrazine; Hydrochloric acid; Hydrogen fluoride (Hydrofluoric acid); Hydroquinone; Isophorone; Lindane (all isomers); Maleic anhydride; Methanol; Methoxychlor; Methyl bromide (Bromomethane); Methyl chloride (Chloromethane); Methyl chloroform (1,1,1-Trichloroethane); Methyl hydrazine; Methyl iodide (Iodomethane); Methyl isobutyl ketone (Hexone); Methyl isocyanate; Methyl methacrylate; Methyl tert butyl ether; 4,4'-Methylene bis(2-chloroaniline); Methylene chloride (Dichloromethane); Methylene diphenyl diisocyanate (MDI); 4,4'-Methylenedianiline; Naphthalene; Nitrobenzene; 4-Nitrobiphenyl; 4-Nitrophenol; 2-Nitropropane; N-Nitroso-N-methylurea; N-Nitrosodimethylamine; N-Nitrosomorpholine; Parathion; Pentachloronitrobenzene (Quintobenzene); Pentachlorophenol; Phenol; p-Phenylenediamine; Phosgene; Phosphine; Phosphorus; Phthalic anhydride; Polychlorinated biphenyls (Aroclors); 1,3-Propane sultone; beta-Propiolactone; Propionaldehyde; Propoxur (Baygon); Propylene dichloride (1,2-Dichloropropane); Propylene oxide; 1,2-Propylenimine (2-Methyl aziridine); Quinoline; Quinone; Styrene; Styrene oxide; 2,3,7,8-Tetrachlorodibenzo-p-dioxin; 1,1,2,2-Tetrachloroethane; Tetrachloroethylene (Perchloroethylene); Titanium tetrachloride; Toluene 2,4-Toluene diamine; 2,4-Toluene diisocyanate; o-Toluidine; Toxaphene (chlorinated camphene); 1,2,4-Trichlorobenzene; 1,1,2-Trichloroethane; Trichloroethylene; 2,4,5-Trichlorophenol; 2,4,6-Trichlorophenol; Triethylamine; Trifluralin; 2,2,4-Trimethylpentane; Vinyl acetate; Vinyl bromide; Vinyl chloride; Vinylidene chloride (1,1-Dichloroethylene); Xylenes (isomers and mixture); o-Xylenes; m-Xylenes; p-Xylenes; Antimony Compounds; Arsenic Compounds (inorganic including arsine); Beryllium Compounds; Cadmium Compounds; Chromium Compounds; Cobalt Compounds; Coke Oven Emissions; Cyanide Compounds¹; Glycol ethers²; Lead Compounds; Manganese Compounds; Mercury Compounds; Fine mineral fibers³; Nickel Compounds; Polycyclic Organic Matter⁴; Radionuclides (including radon)⁵; Selenium Compounds

Nothing in H.R. 910 prevents EPA from continuing to regulate all the pollutants the agency has historically regulated.

H.R. 910 will prohibit EPA from regulating the following greenhouse gases under the Clean Air Act for the purpose of addressing climate change:

Water vapor, carbon dioxide; methane; nitrous oxide; sulfur hexafluoride; hydrofluorocarbons; and perfluorocarbons.

With enactment of H.R. 910, the Clean Air Act will continue to protect American families from harmful pollutants. A vote for the Energy Tax Prevention Act is a vote for jobs and our economy, and a vote to keep the same strong public health protections from the Clean Air Act in place.

For more information, please contact Mary Neumayr on the Energy and Commerce Committee staff at x5-2927.

Sincerely,

Rep. Michael Burgess, MD
Energy and Commerce Committee

Rep. Phil Gingrey, MD
Energy and Commerce Committee

Rep. Bill Cassidy, MD
Energy and Commerce Committee

Rep. Tim Murphy
Energy and Commerce Committee